

Senate File 2021 - Introduced

SENATE FILE 2021

BY RAGAN and BARTZ

A BILL FOR

1 An Act relating to school bus safety, including providing
2 penalties for failure to obey school bus warning lamps and
3 stop signal arms, providing for a school bus safety study,
4 and making an appropriation.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.372, Code 2011, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 5. *a.* The driver of a school bus who
4 commits a violation of subsection 1 or 2 is guilty of a simple
5 misdemeanor punishable as a scheduled violation under section
6 805.8A, subsection 10.

7 *b.* A person convicted of a violation of subsection 3 is
8 subject to the following:

9 (1) For a first offense under subsection 3, the person
10 is guilty of a simple misdemeanor punishable by a fine of at
11 least two hundred fifty dollars but not more than six hundred
12 seventy-five dollars.

13 (2) For a second or subsequent offense under subsection 3,
14 the person is guilty of a serious misdemeanor.

15 Sec. 2. Section 321.482A, unnumbered paragraph 1, Code
16 2011, is amended to read as follows:

17 Notwithstanding section 321.482, a person who is convicted
18 of operating a motor vehicle in violation of section 321.178,
19 subsection 2, paragraph "a", subparagraph (2), section
20 321.180B, subsection 6, section 321.194, subsection 1,
21 paragraph "c", section 321.256, section 321.257, section
22 321.275, subsection 4, section 321.276, 321.297, 321.298,
23 321.299, 321.302, 321.303, 321.304, 321.305, 321.306, 321.307,
24 321.308, section 321.309, subsection 2, or section 321.311,
25 321.319, 321.320, 321.321, 321.322, 321.323, 321.323A, 321.324,
26 321.324A, 321.327, 321.329, ~~or~~ 321.333, or 321.372, subsection
27 3, causing serious injury to or the death of another person
28 may be subject to the following penalties in addition to the
29 penalty provided for a scheduled violation in section 805.8A or
30 any other penalty provided by law:

31 Sec. 3. Section 805.8A, subsection 10, paragraph b, Code
32 Supplement 2011, is amended by striking the paragraph.

33 Sec. 4. SCHOOL BUS SAFETY STUDY — APPROPRIATION.

34 1. The department of transportation shall conduct a study
35 relating to school bus safety, or may contract with an outside

1 vendor to conduct such a study under the direction of the
2 department. The study shall focus on the use of cameras
3 mounted on school buses to enhance the safety of children
4 riding the buses and to aid in enforcement of motor vehicle
5 laws pertaining to school bus safety. The study shall also
6 consider the feasibility of requiring school children to be
7 picked up and dropped off on the side of the road on which
8 their home is located, the inclusion of school bus safety as a
9 priority in driver training curriculum, and any other issues
10 deemed appropriate by the department. The department shall
11 report its findings and recommendations to the general assembly
12 on or before December 31, 2012.

13 2. There is appropriated from the statutory allocations
14 fund to the department of transportation an amount sufficient
15 to fund the study required under this section.

16 Sec. 5. EFFECTIVE UPON ENACTMENT. The section of this
17 Act providing for a school bus safety study, being deemed of
18 immediate importance, takes effect upon enactment.

19 EXPLANATION

20 This bill contains provisions relating to school bus safety.
21 Under current law, when the driver of a vehicle meets a
22 school bus with flashing amber warning lights, the driver is
23 required to reduce the vehicle's speed to not more than 20
24 miles per hour and, when the stop signal arm on the bus is
25 extended, bring the vehicle to a complete stop and remain
26 stopped until the stop arm is retracted. The driver of a
27 vehicle overtaking a school bus may not pass the school bus
28 when the bus's red or amber warning lights are flashing.
29 When the bus's stop signal arm is extended, the driver of
30 an overtaking vehicle must stop at least 15 feet from the
31 school bus and remain stopped until the stop arm is retracted
32 and the bus resumes motion. Currently, a violation of these
33 requirements is a simple misdemeanor, punishable by a scheduled
34 fine of \$200. Pursuant to Code section 321.372A, a citation
35 for such a violation can be issued to the owner of the vehicle

1 if the identity of the driver cannot be determined by the
2 investigating peace officer.

3 The bill increases the penalty for a first offense to a
4 simple misdemeanor punishable by a fine of at least \$250 but
5 not more than \$675. In addition, a person convicted of a
6 simple misdemeanor may be subject to confinement for no more
7 than 30 days.

8 The bill provides that a second or subsequent violation is
9 punishable as a serious misdemeanor. A serious misdemeanor is
10 punishable by confinement for no more than one year and a fine
11 of at least \$315 but not more than \$1,875.

12 The bill adds failure to obey school bus warning lights and
13 stop arm signals to the list of violations for which additional
14 penalties may apply in cases involving serious injury or death.
15 A violation causing serious injury may subject the driver to
16 an additional fine of \$500 or driver's license suspension for
17 not more than 90 days, or both. A violation causing death may
18 subject the driver to an additional fine of \$1,000 or driver's
19 license suspension for not more than 180 days, or both.

20 The bill requires the department of transportation to
21 conduct, or contract for, a study relating to school bus
22 safety, focusing on the effectiveness of cameras mounted on
23 school buses. A report to the general assembly regarding
24 the department's findings and recommendations is due by
25 December 31, 2012. The bill contains an appropriation from
26 the statutory allocations fund to pay the costs of conducting
27 the study. These provisions relating to the school bus safety
28 study are effective upon enactment of the bill.